

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
-vs-)	No. CR-16-045-D
)	
DEARIAN DEON THOMPSON,)	
a/k/a Big Twin,)	
)	
Defendant.)	

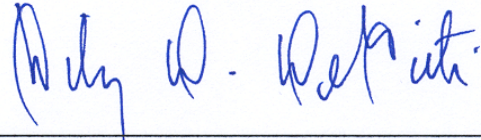
ORDER REGARDING FORFEITURE

This cause comes before the Court on Plaintiff’s Motion for a Final Order of Forfeiture [Doc. No. 113]. Plaintiff seeks a determination that it has complied with the Preliminary Order of Forfeiture issued on September 20, 2016, and among other things, that all third-party interests in the property subject to forfeiture have been extinguished. According to the Motion, however, the only notice to third parties was provided by a publication on the government’s website at www.forfeiture.gov for 30 consecutive days beginning on July 12, 2016, and ending on August 10, 2016. Thus, the final date of publication occurred more than one month before the Preliminary Order of Forfeiture was issued. The Court finds that this notice was insufficient to comply with the ancillary provision of 21 U.S.C. § 853(n).¹

¹ Section 853(n)(1) provides, in pertinent part: “Following the entry of an order of forfeiture under this section, the United States shall publish notice of the order and of its intent to dispose of the property” The time period within which a third party must petition the Court for a hearing ends 30 days after “the final publication of notice or his receipt of notice under paragraph (1).” *Id.* § 853(n)(2).

IT IS THEREFORE ORDERED that Plaintiff's Motion for a Final Order of Forfeiture is DENIED, without prejudice to resubmission after sufficient notice to third parties is given.

IT IS SO ORDERED this 6th day of December, 2016.



TIMOTHY D. DEGIUSTI
UNITED STATES DISTRICT JUDGE